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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSE DUENAS ET AL.,

Defendants.

CASE NO. 1:24-CR-00033-JLT-BAM

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
AND ORDER

DATE: May 14, 2025
TIME: 1:00 p.m.
COURT: Hon. Barbara A. McAuliffe

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status conference on May 14, 2025.
2. By this stipulation, defendants now move to continue the status conference until August, 27, 2025, and to exclude time between May 14, 2025, and August, 27, 2025, under 18 U.S.C. § 3161(h)(7)(A), B(i) (ii), and (iv).
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government has represented that the discovery associated with this case includes wiretap recordings, thousands of pages of investigative reports, surveillance video, audio recordings, cell phone extractions, and other voluminous materials. All of this discovery has been either produced directly to counsel and/or made available for inspection and copying.
 - b) Counsel for defendants desires additional time consult with his/her client, review

1 the voluminous discovery, conduct independent investigation, and pursue a potential pretrial
2 resolution of the case.

3 c) The parties have been engaged in plea negotiations and the government plans to
4 make final offers in this case before the next status conference. Thus, the parties will be ready to
5 set the case for change of plea hearings or a trial at the next status conference.

6 d) Counsel for defendants believes that failure to grant the above-requested
7 continuance would deny him/her the reasonable time necessary for effective preparation, taking
8 into account the exercise of due diligence.

9 e) The government does not object to the continuance.

10 f) Based on the above-stated findings, the ends of justice served by continuing the
11 case as requested outweigh the interest of the public and the defendant in a trial within the
12 original date prescribed by the Speedy Trial Act.

13 g) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
14 et seq., within which trial must commence, the time period of May 14, 2025 to August, 27, 2025,
15 inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(i) (ii), and (iv) because
16 it is so unusual or so complex, due to the number of defendants, the nature of the prosecution, or
17 the existence of novel questions of fact or law, that it is unreasonable to expect adequate
18 preparation for pretrial proceedings or for the trial itself within the time limits established by this
19 section and because failure to grant the continuance would deny the defendant reasonable time to
20 obtain counsel, would unreasonably deny the defendant or the Government continuity of counsel,
21 or would deny counsel for the defendant or the attorney for the Government the reasonable time
22 necessary for effective preparation, taking into account the exercise of due diligence.

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4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: May 9, 2025

MICHELE BECKWITH
Acting United States Attorney

/s/ JUSTIN J. GILIO
JUSTIN J. GILIO
Assistant United States Attorney

Dated: May 9, 2025

/s/ Nicholas Reyes
Nicholas Reyes
Counsel for Defendant
JOSE DUENAS

Dated: May 9, 2025

/s/ Anthony Capozzi
Anthony Capozzi
Counsel for Defendant
HECTOR DUENAS

Dated: May 9, 2025

/s/ Roger Wilson
Roger Wilson
Counsel for Defendant
EDUARDA MENDOZA
SANCHEZ

Dated: May 9, 2025

/s/ Steven Crawford
Steven Crawford
Counsel for Defendant
ANTHONY VARELA

ORDER

IT IS SO ORDERED that the status conference is continued from May 14, 2025, to **August 27, 2025, at 1:00 p.m. in Courtroom 8 before Magistrate Judge Barbara A. McAuliffe**. Time is excluded pursuant to 18 U.S.C. § 3161(h)(7)(A), B(i) (ii), and (iv). If the parties do not resolve the case in advance of the next status conference, they shall be prepared to set a trial date at the status conference hearing.

IT IS SO ORDERED.

Dated: May 9, 2025

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE